

# FARNAN LLP

June 4, 2023

**VIA E-FILING**

The Honorable Matthew F. Kennelly  
Dirksen U.S. Courthouse  
219 S. Dearborn Street  
Chicago, IL 60604

**Re: *10X Genomics, Inc., et al. v. NanoString Technologies, Inc.***  
**C.A. No. 22-cv-261-MFK**

Your Honor,

Pursuant to the Court's instruction, NanoString submits updated Exhibits A, B, and D to its Motion For Leave To File Amended Answer, Affirmative Defenses, and Counterclaims (D.I. 119). NanoString sincerely apologizes for the confusion with the NIH Grant page citations in the original Proposed Amended Pleading (Exhibit A, D.I. 119-1). NanoString will ask the Clerk's office to replace the original Exhibits, A, B, and D with the updated versions.

In updating Exhibits A and B, NanoString has replaced the original citations to the NIH Grant in the Proposed Amended Pleading with the production number from the lower right hand corner of the document. Accordingly, the new citation format in the proposed pleading will be, for example: D.I. 119-4 at VIZ00099687; (Exhibit D at VIZ00099687). In updating Exhibit D, NanoString has provided an excerpted version of the NIH Grant materials that includes the Grant application and other portions of the Grant materials cited by the parties in their respective briefs.

The full briefing on NanoString's Motion For Leave To File Amended Answer, Affirmative Defenses, and Counterclaims (D.I. 119, D.I. 131, D.I. 135) did not cite to the NIH Grant pages, but instead used the production number as the citation or the paragraph in the Proposed Amended Pleading. Thus, the briefing is unaffected.

Per the Court's instructions, NanoString will also deliver a USB with the requested materials to Chambers in Delaware on Monday, June 5, by 9 a.m. EST.

Respectfully submitted,

/s/ Brian E. Farnan

Brian E. Farnan

cc: Counsel of Record (Via E-Filing)